Application No. 10/817,526 Pet. To Withdraw From Issue

Customer No. 01933

CERTIFICATE OF FACSIMILE TRANSMISSION

TO NO. 571-273-0025

ATTENTION: KAREN CREASY

I hereby certify that this

paper is being facsimile transmitted to the Commissioner for Patents on the date noted

In the event that this Paper is

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extent not tendered by form PTO-2038 attached hereto. authorization to charge the extension fee to Account

TOTAL PAGES: 20

Nalini P. Sahadeo

Dated: October 14, 2005

below,

Attorney Docket No. <u>04202/LH</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shigeaki YAMANAKA et al

Serial No. : 10/817,526

Filed: April 1, 2004

For : METHOD OF JOINING TOGETHER

MAGNETIC AND NONMAGNETIC

MATERIALS

Art Unit : 3742

Examiner : Daniel Leon Robinson

Allowed : June 27, 2005

Conf. No. : 4878

UNDER 37 CFR 1.313(c) (2)

PETITION TO WITHDRAW FROM ISSUE

ATTENTION: KAREN CREASY

Mail Stop PETITIONS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

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No. 06-1378.

OCT 1 4 2005

OFFICE OF PETITIONS

Applicants hereby petition to withdraw the present application from issue under 37 CFR 1.312(c)(2) for the purpose of consideration of an RCE filed pursuant to 37 CFR 1.114 and an Information Disclosure Statement, both filed concurrently herewith.

The Issue Fee was paid on September 21, 2005.

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OCT 1 4 2005

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Customer No. 01933

OFFICE OF PETITIONS

Submitted herewith is a form PTO-2038 in the amount of \$130.00 to cover the cost of the Petition Fee (37 CFR 1.17(h)). Authorization is given to charge any other fees which may be required in connection with this matter to Account No. 06-1378.

By letter dated October 3, 2005, the applicants' Japanese attorneys informed the undersigned of a European Search Report dated September 8, 2005 which was issued by the European Patent Office in connection with a counterpart EPO application. The European Search Report was received in the office of the undersigned on October 6, 2005. Cross correspondence was conducted, and by letter dated October 12, 2004, the applicant's (through their Japanese attorneys) stated that they wish withdraw the present application from issue and to file the European Search Report dated September 8, 2005 and its cited references in the USPTO in an Information Disclosure Statement so that the U.S. Examiner could consider the same and make the European-cited references "of record".

Filed concurrently herewith is an RCE and an Information Disclosure Statement (with a Statement under 37 CFR 1.97(e)) submitting the European Search Report dated September 8, 2005 and its cited references. It is respectfully requested that the present application be withdrawn from issue for the purpose of consideration of said RCE and said Information Disclosure Statement.

Respectfully submitted,

Leonard Holtz Reg. No. 22,97

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